

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

Ina and David Steiner, et al.,

Plaintiffs,

vs.

eBay, Inc., et al.,

Defendants.

No. 21-CV-11181-PBS

ORAL ARGUMENT REQUESTED

**DEFENDANT PHILIP COOKE'S MOTION TO DISMISS THE FIRST AMENDED
COMPLAINT FOR FAILURE TO STATE A CLAIM**

Defendant Philip Cooke, through counsel, respectfully moves to dismiss the first amended complaint in its entirety for failure to state a claim for the reasons set forth in the memorandum filed together with this motion.

Dated: April 21, 2023

Respectfully submitted,

PHILIP COOKE,

By his attorneys,

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing document was filed through the ECF system on April 21, 2023, and will be sent electronically to the registered participants on the Notice of Electronic Filing and paper copies will be sent to any non-registered participants.

Christina N. Lindberg
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